

Appl. N . 09/974,638
Amdt. dated : MAY 5, 2004
Reply to Office Action of APRIL 5, 2004

REMARKS/ARGUMENTS

Applicants' Attorney thanks the Examiner for her attention in this matter. Claims 1-47 are presented for the Examiner's consideration.

Reconsideration of the Restriction Requirement in view of the foregoing amendment and the following remarks is respectfully requested.

In response to the restriction requirement mailed April 5, 2004, Applicants respectfully amend independent claim 40 to require a superabsorbent material having a bimodal particle size distribution. Support for this amendment can be found on page 5, lines 29-33 and page 6, line 1.

It is believed that this amendment renders the restriction requirement moot. In any case, Applicants respectfully provisionally elect the Species 1 claims (*i.e.*, absorbent article with bimodal particle size superabsorbent material) to be prosecuted by way of the present application. Therefore, claims 1-47, as amended above, read on the elected species, and are respectfully presented for prosecution in the present application.

For the reasons stated above, it is respectfully submitted that all of the presently presented claims are in form for examination.

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Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (920) 721-4405.

Respectfully submitted,

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